

REMARKS

Claims 1-23 remain in the application. It is submitted that no new matter has been added and no new issues have been raised by the present response.

The indication by the Office Action that prosecution of the above-identified reissue application on the merits is closed in accordance with practice under Ex parte Quayle is respectfully acknowledged.

Reconsideration is respectfully requested of the rejection of the present application under 37 CFR § 1.172(a). The Office Action alleges that the assignee has not established its ownership interest in the patent for which reissue is being requested.

It is respectfully submitted that 37 CFR §1.172(a) states: "[a]ll assignees consenting to the reissue must establish their ownership interest in the patent by filing in the reissue application a submission in accordance with the provisions of § 3.73(b) of this chapter".

It is further submitted that 37 CFR § 3.73(b)(1)(ii) states: "[o]wnership is established by submitting to the Office a signed statement identifying the assignee, accompanied by ... a statement specifying where documentary evidence of a chain of title from the original owner to the assignee is recorded in the assignment records of the Office (e.g., reel and frame number)".

37 CFR § 3.73(b)(2)(i) states: "[t]he submission establishing ownership must show that the person signing the submission is a person authorized to act on behalf of the

assignee by ... [i]ncluding a statement that the person signing the submission is authorized to act on behalf of the assignee''.

It is respectfully submitted that an Assent of Assignee to Reissue was filed in the above-identified application on May 4, 2004.

The Assent of Assignee to Reissue identifies the assignment of U.S. Letters Patent No. 5,995,852 on December 13, 1995 at reel 7809 and frame 0921.

The Assent of Assignee to Reissue also states: ''[t]he undersigned is authorized to act on behalf of the assignee Sony Corporation under 37 CFR 3.73(b)'', in accordance with the requirements of 37 CFR § 3.73(b)(1)(ii) and 37 CFR § 3.73(b)(2)(i) as set forth above.

A copy of the Assent of Assignee to Reissue and postcard acknowledging receipt of same by the Office is attached hereto as Exhibit A.

Reconsideration is respectfully requested of the rejection of the present application under 37 CFR § 1.63(c). The Office Action alleges that the oath, declaration, or application data sheet does not acknowledge the filing of any foreign application.

It is respectfully submitted that a Supplemental Application Data Sheet was filed on May 4, 2004 in the above-identified application. Page four of the Supplemental Application Data Sheet states that Foreign Priority was claimed for Japanese Application No. P06-335016, filed December 19, 1994.

A copy of the Supplemental Application Data Sheet and the postcard acknowledging receipt of the same by the Office is attached hereto as Exhibit B.

An Information Disclosure Statement listing the references cited in the original patent on a form PTO-1449 is submitted herewith, along with copies of the foreign references cited therein.

Therefore, it is respectfully submitted that the above-identified reissue application is now in condition for allowance.

The Office is hereby authorized to charge any fees which may be required in connection with this amendment and to credit any overpayment to Deposit Account No. 03-3125.

Allowance of the present reissue application is respectfully requested.

Respectfully submitted,  
COOPER & DUNHAM, LLP

A handwritten signature in cursive script, reading "Jay H. Maioli".

Jay H. Maioli  
Reg. No. 27,213

JHM/AVF